

Mar 15, 2019

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
Plaintiff,

v.

SIMON LEE SAMPSON,
Defendant.

No. 1:18-cr-02029-SAB

**ORDER FOLLOWING
PRETRIAL CONFERENCE**

The Court held a pretrial conference in the above-captioned matter on March 11, 2019. Paul Shelton appeared on behalf of Defendant, who was present in the courtroom, and Meghan McCalla appeared on behalf of the Government.

At the hearing, the Court addressed several pending pretrial motions *in limine* and heard from the parties on Defendant's motion to dismiss. For the reasons stated on the record, the Court denies Defendant's Motion to Dismiss, ECF No. 41, grants Defendant's Motion to Instruct Jury Re. Implicit Bias, (ECF No. 40), and continues pending further authority consideration of the Motions in Limine, ECF Nos. 42 and 43. Defense Counsel shall provide additional authority no later than March 15, 2019, and the Government's response, if any, shall be filed no later than March 23, 2019.

Accordingly, **IT IS HEREBY ORDERED:**

1. Defendant's Motion to Instruct Jury Regarding Implicit Bias; Motion to Show Video on Same Prior to Jury Selection, ECF No. 40, is
GRANTED.
2. Defendant's Motion to Dismiss, ECF No. 41, **DENIED.**

- 1 3. Defendant shall file additional authority regarding Fed. R. Evid. 404(b)
2 no later than March 15, 2019.
3
4 4. The Government's response, if any, shall be filed no later than March 23,
5 2019.
6
7 5. The trial date currently scheduled for April 8, 2019, is **stricken**. A
8 pretrial conference shall be calendared once the open issues are decided.
9 At that conference a new trial date will be scheduled.
10
11 6. 3. Pursuant to 18 U.S.C. § 3161(h)(1)(D), the time between November
12 27, 2018, the date Defendant's Motion in Limine was filed, until the date
13 the Court rules on the motion, is **DECLARED EXCLUDABLE** for
14 purposes of computing time under the Speedy Trial Act.

15 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
16 file this Order and provide copies to counsel.

17 **DATED** this 15th day of March 2019.
18



A handwritten signature in blue ink, reading "Stanley A. Bastian", is written over a horizontal line.

Stanley A. Bastian
United States District Judge